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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/820,508	03/29/2001	Rabindranath Dutta	AUS920010012US1	5085	
35525	7590	03/23/2005	EXAMINER		
IBM CORP (YA)				NGUYEN, MAIKHANH	
C/O YEE & ASSOCIATES PC				ART UNIT	
P.O. BOX 802333				2176	
DALLAS, TX 75380				PAPER NUMBER	

DATE MAILED: 03/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/820,508	DUTTA ET AL.	
	Examiner	Art Unit	
	Maikhahan Nguyen	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 12 November 2004.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,2,4-11,13,15-19,21-23,25-27,33 and 34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,2,4-11,13,15-19,21-23,25-27,33 and 34 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

1. This action is responsive to communications: Amendment filed 11/12/2004 to the original application 03/29/2001;
2. Claims 1-2, 4-11, 13, 15-19, 21-23, 25-27 and 33-34 are currently pending in this application. Claims 3, 12, 14, 20, 24, 28-32 and 35-39 have been canceled. Claims 1, 13, 19 and 23 are independent claims.

Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language; or " (Emphasis added.)

Claims 13, 15-17, 19-23 and 33-34 are rejected under 35 U.S.C. 102(e) as being anticipated by **Kiraly et al.** (U.S. 6,564,186 – filed 10/2001, Continuation of application No. 09/164,897 – filed 10/1998).

As to independent claim 13:

MacKenty teaches data processing system for presenting content in a document (*Abstract and Fig.4*), the data processing system comprising:

- (i) parsing the document for a salient feature (e.g., *the text-reader software ... analyzes the entire text-based data source in preparation for highlighting portions of the text-based data; col.9, lines 23-34 and item 420, Fig.4*);
- (ii) response to locating the salient feature within the document for presenting the salient feature in a manner other than visually (e.g., *the text-reader software highlights the selected section of the text-based data ... the synthesized speech signals and the audio signals are rendered audible with the highlighting of the selected text; col.10, lines 53-67/ col.11, lines 20-25 and item 460 in Fig.4*); and
- (iii) determining whether to presenting additional portions of the document (e.g., *after the highlighted text is displayed 'by rendering synthesized speech signals' to the user with visual impairment, the user may decide if he/she wants additional information of the document to be displayed; col.2, lines 40-57 and col.11, lines 4-12*).

As to dependent claim 15:

Kiraly teaches the salient feature is selected from, among other things, underlining, bold-facing (*col.7, lines 9-16*).

As to dependent claim 16:

Kiraly teaches the salient feature is presented in an audible manner (*col.2, lines 53-57/col. 10, lines 52-56 /col.11, lines 44-67 and Figs.5A-B*).

As to dependent claim 17:

Kiraly teaches the salient feature is presented in a tactile manner (*e.g., text to be spoken; item 432, Fig.4*).

As to independent claim 19:

- a. The rejection of claim 13 above is incorporated herein in full. Additionally, claim 19 further recites: “a bus system; a communication unit; a memory; and a processing unit.”
- b. Kiraly teaches a bus system (*e.g., data bus 102; Fig.1*); a communication unit (*e.g., a communication device 118; Fig.1*); a memory (*e.g., a volatile memory 106 and data storage unit 110; Fig.1*); and a processing unit (*e.g., the central processor 104; Fig.1*).

As to dependent claim 21:

Kiraly teaches the markup language is at least one of hypertext markup language (*col.3, lines 53-57*) and resource description framework (*col.2, lines 53-57 and col.9, lines 11-16*).

As to dependent claim 22:

Kiraly teaches presents the salient feature by highlighting the salient feature within the document instead of presenting the salient feature in a manner other than visually (*col.6, lines 20-38/col.7, lines 10-23/col.10, lines 52-67*).

As to independent claim 23:

The rejection of independent claim 13 above is incorporated herein in full.

As to dependent claim 33:

Kiraly teaches analyzing content of document for at least one salient feature (*col.9, lines 23-34*); denoting the at least one salient feature separately from the analyzed content (*col.3, lines 28-42*); and sending the document and the separately denoted at least one salient feature to a user requesting the document (*col.5, line 60-col.6, lines 38*).

As to dependent claim 34:

Kiraly teaches denoting the at least one salient feature in a file and the at least one salient feature in XML tags (*col.1, lines 30-47*).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-2, 4-11, 18 and 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kiraly et al.** in view of **Sussman** (U.S. 5,586,196 – filed 12/1996).

As to independent claim 1:

- a. Kiraly teaches a method in a data processing system for presenting content in a document (*Abstract and Fig. 4*), the method comprising the steps of:
 - (i) parsing the document for one or more salient features (e.g., *the text-reader software ... analyzes the entire text-based data source in preparation for highlighting portions of the text-based data; col.9, lines 23-34 and item 420 in Fig.4*); and
 - (ii) initially presenting the document to a user in a manner other than visually (e.g., *rendering the synthesized speech signals audible synchronously with the displaying of the highlighting text such that text-based information and corresponding audible information can be perceived simultaneously by the user; col.2, lines 33-57*).
- b. Kiraly does not teach “the presented overview comprising only the collective salient features and excluding, any other portions of the document; and presenting a particular one of the other document portions to the user only in response to a request from the user for the particular portion.”
- c. Sussman teaches the presented overview comprising only the collective salient features and excluding, any other portions of the document; and presenting a particular one of the other document portions to the user only in response to a request from the user for the particular portion (*col.26, lines 48-67*).
- d. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Sussman in the system of Kiraly because it would have provided the capability for providing text assistance to

computer users who are dyslexic, have other reading disabilities or are visually impaired and presenting text-based information to dyslexic, reading disabled or visually impair computer users during text-editing or Web browsing.

As to dependent claim 2:

Kiraly teaches presenting the document to the user only after the user requests the presentation (*col.9, lines 23-34*).

As to dependent claim 4:

Kiraly teaches the salient feature is selected from, among other things, underlining, bold-facing (*col.7, lines 9-16*).

As to dependent claim 5:

Kiraly teaches the salient feature is presented in an audible manner (*col.2, lines 53-57/col. 10, lines 52-56 /col.11, lines 44-67 and Figs.5A-B*).

As to dependent claim 6:

Kiraly teaches the salient feature is presented in a tactile manner (*e.g., text to be spoken; item 432, Fig.4*).

As to dependent claim 7:

Kiraly teaches the document is selected from, among other things, a hypertext markup language (*e.g., Word Wide Web; Abstract / col.2, lines 52-57*).

As to dependent claim 8:

Kiraly teaches the resource description file is one of a resource description format file (*col.9, lines 11-16*) or an extensible markup language schema file.

As to dependent claims 9-10:

They include the same limitations as in claims 21-22, and are similarly rejected under the same rationale.

As to dependent claim 11:

Kiraly teaches the salient feature is indicated within the document (*col.2, lines 30-col.3, line 43*).

As to dependent claim 25:

Kiraly teaches receiving a request for a document having at least one salient feature; and determining the at least one salient feature (*col.7, lines 10-34*).

As to dependent claim 26:

Kiraly teaches determining further comprises, among other things, means for analyzing the document (*e.g., analyzes entire text-based data source for highlight output; item 420 in Fig.4*) for, among other things, underlined text (*e.g., marking the document, such as underlining; col.7, lines 23-34*).

As to independent claim 27:

It includes the same limitations as in claim 25, and is similarly rejected under the same rationale.

Response to Arguments

5. Applicant's arguments filed 11/12/2004 have been fully considered but they are not persuasive.

- a. Applicant argues that *Kiraly patent does not disclose or suggest the amended claim 1 step of parsing a document for one or more salient features, in order to provide an overview of the document.* (Remarks, page 11, 2nd para.)
- b. In response, the introduction of Sussman, as combined with Kiraly meets the limitations: Kiraly teaches parsing a document for one or more salient features (e.g., *the text-reader software ... analyzes the entire text-based data source in preparation for highlighting portions of the text-based data; col.9, lines 23-34 and item 420 in Fig.4*); Sussman teaches provide an overview of the document (*col.26, lines 48-67*).
- c. Applicant argues that *Kiraly does not teach presenting certain portions of a document to a user only in response to the user's request.* (Remarks, page 11, 2nd para.)
- d. In response, the newly applied prior art (Sussman) meets the limitations as amended by Applicant.
- e. Applicant argues that *Kiraly neither shows the claim 13 determining means, nor does Kiraly teach any need for such means.* (Remarks, page 12, last para.)
- f. In response, Kiraly's teachings “after the highlighted text is displayed by rendering synthesized speech signals to the user with visual impairment, the user may decide if he/she wants additional information of the document to be displayed” (col.2, lines 40-57 and col.11, lines 4-12) meet the limitations as claimed by Applicant.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

MacKenty et al. U.S. Patent No. 6,085,161 issued: Jul. 4, 2000

Joseph J. Lazzaro, "Helping the Web help the disabled", IEEE, March 1999, pp. 54-59.

7. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (571) 272-4093. The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on (571) 272-4090.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Maikhahan Nguyen
March 21, 2005



SANJIV SHAH
PRIMARY EXAMINER